

APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... JUL 15 1986  
Returned to applicant for correction..... JUL 28 1986  
Corrected application filed..... SEP 18 1986  
Map filed..... OCT 7 1986

The applicant..... Foote Mineral Company.....  
....., of Silverpeak  
Street and No. or P.O. Box No. City or Town  
Nevada (89047)  
State and Zip Code No. ...., hereby make application for permission to appropriate the public  
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-  
tion; if a copartnership or association, give names of members.) Incorporated in the  
State of Pennsylvania on September 30, 1964

1. The source of the proposed appropriation is..... Underground  
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is..... 2.0 .....second-feet  
One second-foot equals 448.83 gals. per min.  
(a) If stored in reservoir give number of acre-feet.....

3. The water to be used for..... Mining and Domestic  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:  
(a) Irrigation, state number of acres to be irrigated.....  
(b) Stockwater, state number and kinds of animals to be watered.....  
(c) Other use (describe fully under "No. 12. Remarks").....  
(d) Power:  
(1) Horsepower developed.....  
(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section  
Describe as being within a 40-acre subdivision of public  
34, T1S, R40E, MDM, or at a point from which the Southwest corner  
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.  
of Section 22, T2S, R39E, MDM, bears S 60° 12' 09" W a distance of  
44,209 feet

6. Place of use..... See attached Exhibit "A"  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year.  
Month and Day Month and Day  
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Drilled and cased well, distribution  
State manner in which water is to be diverted, i.e. diversion structure, ditches and  
system which conveys water to evaporation ponds.  
flumes, drilled well with pump and motor, etc.  
9. Estimated cost of works..... \$50,000.00

10. Estimated time required to construct works Three years  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use Eight years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use. The brine pumped pursuant to this application contains the mineral lithium. The area which includes the point of diversion and place of use is land located pursuant to the Mining Laws of 1872, as found in 30 USC 22, et seq. The brine solution is pumped to evaporation ponds where the lithium is recovered from the dehydrated solution. The daily duty of brine pumped will not exceed 15 million gallons per day from any and all sources; or 16,800 acre feet annually from all sources. The various pumps are utilized 365 days per year. Water pursuant to this application will be commingled with the other production permitted rights of applicant.

By s/ Ross E. deLipkau  
Ross E. deLipkau, Agent  
 Post Office Box 2790  
 Reno, Nevada (89505)

Compared jm/cc pm/se

Protested \_\_\_\_\_

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 44251, 44252, 44253, 44254, 44255, 44256, 44257, 44258, 44260, 44261, 44267, 44268, 44269, 44270, 49988, 49989, 49990, 49991, 49992, 49993, 49994, 49995 and 49996 shall not exceed 15 million gallons per day or 16,800 acre-feet annually.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and

not to exceed 2.0 cubic feet per second, but not to exceed 1448 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 15, 1989

Proof of completion of work shall be filed before July 15, 1989

Application of water to beneficial use shall be made on or before June 15, 1990

Proof of the application of water to beneficial use shall be filed on or before July 15, 1990

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed SEP 12 1989

IN TESTIMONY WHEREOF, I, PETER G. MORROS  
 State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed DEC 15 1995

my office, this 18th day of August

Cultural map filed \_\_\_\_\_

Certificate No. 14295 Issued 03-07-96

A.D. 19 87

*[Signature]*  
 State Engineer



## (PERMIT TERMS CONTINUED)

The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

## EXHIBIT "A"

The S 1/2 of Section 35 and all of Section 36, Both in T. 1 S., R. 39 E., M.D.M., and E 1/2 of Section 10, the E 1/2 of Section 15, the SE 1/4 of Section 21, the E 1/2 of Section 28 and all of Sections 1, 2, 3, 11, 12, 13, 14, 22, 23, 24, 25, 26, 27, 34, 35, and 36 all in T. 2 S., R. 39 E., M.D.M., the SE 1/4 of Section 19, the S 1/2 of Section 20, the E 1/2 and Lots 23\* and 24\*, now Lots 47, 48, 49, and 50 of Section 30 and all of Sections 21, 22, 23, 26, 27, 28, 29, 31, 32, 33, 34 and 35 all in T. 1 S., R. 40 E., M.D.M., the NW 1/4 of Section 11, the N 1/2 and the SW 1/4 of Section 10, the NW 1/4 of Section 15, the N 1/2 and the SW 1/4 of Section 16 and all of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 17, 18, 19, 20, 29, 30, and 31 all in T. 2 S., R. 40 E., M.D.M., Clayton Valley, Esmeralda County, Nevada.

- \* On December 16, 1983, the BLM approved an independent resurvey of T. 1 S., R. 40 E., M.D.M., which supercedes the plat approved April 14, 1884. The 1983 resurvey subdivided and renumbered original Lots No. 23 and No. 24. The resurvey did not change the total area or the horizontal position within Section 30, T. 1 S., R. 40 E.